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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,072	03/05/2002	Thomas Joseph Moran	476-2098	6705

7590 06/08/2004

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EXAMINER

PHU, SANH D

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/091,072

Applicant(s)

MORAN ET AL.

Examiner

Sanh D Phu

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections – 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1–20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crosby et al (6,628,928) in view of Groner (6,507,643).

Regarding to claim 1, 8 and 14, see Fig. 1, 6 and 7, col. 5, line 66 to col. 6, line 64, Crosby et al disclose that a method of automatically accessing a service provider (vendor) on the basis of radio data service (RDS) information provided in a pre-specified template format and received from a radio frequency broadcast said method comprising the steps of:

receiving said radio frequency broadcast using an RDS radio receiver (see col. 5, line 66 to col. 6, line 25);

sending a message to the service provider using either a pre-specified address or an address provided in the RDS information (see col. 5, line 66 to col. 6, line 25 and col. 9, lines 21–31).

He does not disclose extracting and creating a message on the basis of at least some of said RDS information;

However, Groner discloses that his invention is able to extract and create a text or edit message (148) (see Fig. 3, col. 6, lines 50–51).

At the time of the invention was made, it would have been obvious for one skilled in the art to modify Crosby et al's invention, as taught by Groner, in order to obtain the creating message method so that the users can be able to feedback to the vendors their expressions.

Regarding to claim 2, Crosby et al disclose that a method wherein said service provider comprises a contact center (network operation center which sends information to service provider) (see Fig. 3).

Regarding to claim 3, Crosby et al disclose that a method wherein said message is sent to the service provider using a medium selected from: email,

telephone and short message service (purchase via e-commerce) (see col. 6, lines 24–25).

Regarding to claim 4, Crosby et al disclose that a method wherein said medium is provided using any of wireless application protocol (WAP), general packet radio service (GPRS) and third generation (3G) communications (transmits a command via a communication satellite) (see col. 6, lines 4–6).

Regarding to claim 5, Crosby et al disclose that a method wherein said RDS information comprises an identifier, which identifies a radio station, which provided the radio frequency, broadcast (see Fig. 4, col. 8, line 67 to col. 9, line 14).

Regarding to claim 6, Crosby et al disclose that a method wherein said RDS information comprises an identifier associated with audio information provided by said radio frequency broadcast (see Fig. 5, col. 9, lines 16–20).

Regarding to claim 7, Crosby et al disclose that a method wherein said identifier is associated with any one of a piece of music, an artist, an enterprise, or an advertisement (see Fig. 5 & 6, col. 9, lines 16–31).

Regarding to claim 9, Crosby et al disclose that a method wherein said information about the user input comprises any of a request for contact, a request for information associated with the RDS information in the message (more Info) (see Fig. 7), or a request to order goods associated with the RDS information (order) (see Fig. 7).

Regarding to claim 10, Crosby et al disclose that a method wherein said service provider comprises a contact center and wherein said method further comprises the steps of, at the contact centre receiving said message, extracting said RDS information from the message and routing the message to one of a plurality of contact centre agents on the basis of said RDS information (see Fig. 3, col. 9, line 42 to col. 10, line 29).

Regarding to claim 11, Crosby et al in view of Groner disclose that a method wherein said RDS information extracted from the message comprises information about the origination of the RDS information and wherein that information is stored (see Groner fig. 3).

Regarding to claim 12, Crosby et al disclose that a method wherein said information about the origination of the RDS information comprises an identifier for a radio station, which provided the radio frequency, broadcast.

Regarding to claim 13, Crosby et al disclose that a method wherein said information about origination comprises time information (see col. 7, lines 31–36).

Regarding to claim 15. Crosby et al disclose that a user terminal, which is selected from: a mobile telephone, a personal computer, a personal digital assistant and a laptop computer (a personal computer).

Regarding to claim 16, see Fig. 3, Crosby et al disclose that a contact center (110) comprising at least one input arranged to receive messages (206) comprising RDS information (208), a plurality of contact centre agents (204) and a router arranged to route messages from the input to the contact centre agents and wherein said contact centre further comprises a processor (110) arranged to extract RDS information from the messages and wherein said router is arranged to route said messages to the contact centre agents at least

partly on the basis of the extracted RDS information (see col. 9, line 42 to col. 10, line 29).

Regarding to claim 17, Crosby et al disclose that a contact center that further comprises a database and wherein said RDS information extracted from the message comprises information about the origination of the RDS information and this information is stored in the database (see col. 9, line 42 to col. 10, line 29).

Regarding to claim 18, Crosby et al disclose that a communications network comprising a contact center (110)(se Fig. 1).

Regarding to claim 19, Crosby et al disclose that a computer program arranged to control a contact center such that the following steps are performed:

messages comprising RDS information are received (see col. 5, line 66 to col. 6, line 2);

the messages are routed to the contact centre agents at least partly on the basis of the extracted RDS information (broadcast message)(see col. 9, line 42 to col. 10, line 29).

He does not disclose extracting and creating a message on the basis of at least some of said RDS information;

However, Groner discloses that his invention is able to extract and create a text or an audio message.

At the time of the invention was made, it would have been obvious for one skilled in the art to modify Crosby et al's invention, as taught by Groner, in order to obtain the creating message method so that the users can be able to feedback to the vendors their expressions.

Regarding to claim 20, Crosby et al in view of Groner disclose that a computer program, which is stored on a computer readable medium (see Groner, Fig. 3).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D Phu whose telephone number is (703) 305-8635. The examiner can normally be reached on 8:00-16:30.


The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2682

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-8635.

Sanh D. Phu
Examiner
Art Unit 2682

SP


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